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Attorneys for Defendant Kudelski Interactive
Cayman, Ltd.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE OPENTV CORP. SHAREHOLDER
LITIGATION

Case No. C-09-04896 MHP

STIPULATION AND [PROPOSED] ORDER
EXTENDING DEADLINE FOR SUBMISSION OF
MOTION FOR PRELIMINARY APPROVAL OF
SETTLEMENT AND RESCHEDULING
HEARING THEREON

1 WHEREAS, on April 12, 2010, the Court held a case management conference (“CMC”) in
2 the above-captioned action, at which the parties informed the Court that they had reached an
3 agreement in principle to settle the action and dismiss all claims therein with prejudice;

4 WHEREAS, at the CMC, the Court ordered the parties to submit to the Court the
5 stipulation of settlement and a motion for preliminary approval thereof no later than May 10,
6 2010, and scheduled a hearing on the preliminary approval motion for May 24, 2010;

7 WHEREAS, on or about May 6, 2010, the parties filed a stipulation and proposed order
8 with the Court, requesting that the deadline to submit the motion for preliminary approval and
9 related settlement documentation be extended to Friday, May 28, 2010 and that the hearing
10 thereon should be rescheduled for Monday, June 21, 2010 at 2 p.m., or such other date as the
11 Court may order, to allow the parties to finalize the stipulation of settlement and related
12 documentation and thereby eliminate issues that might otherwise require Court attention;

13 WHEREAS, on or about May 7, 2010, the Court entered an order setting the dates for
14 submission of the motion for preliminary approval and the hearing thereon in accordance with
15 the parties’ May 6, 2010 stipulation;

16 WHEREAS, the parties have continued to negotiate the terms of the stipulation of
17 settlement and related settlement documentation diligently and in good faith but, due in part to
18 the May trial schedule of Angela L. Dunning, counsel for Kudelski Interactive Cayman, Ltd.
19 (“KIC”), the parties have not yet been able to finalize the settlement papers and do not anticipate
20 being able to do so by May 28, 2010;

21 WHEREAS, counsel for KIC has a prepaid, out-of-state vacation scheduled for May 31,
22 2010 through June 10, 2010;

23 WHEREAS, the parties believe that with limited additional time they will be able to
24 finalize and submit to the Court the necessary settlement documentation, thereby eliminating
25 issues that might otherwise require Court attention;

26 NOW, THEREFORE, it is hereby stipulated and agreed, by and between the parties, through
27 their respective counsel of record, subject to Court approval, that the deadline to submit the
28

1 motion for preliminary approval and related settlement documentation be extended to Friday,
2 June 25, 2010 and that the hearing thereon should be rescheduled for Monday, July 12, 2010 at 2
3 p.m., or such other date and time as the Court may order.

4 IT IS SO STIPULATED.

5
6 DATED: May 26, 2010

BERMAN DeVALERIO

7
8 By: /s/
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16 Interim Co-Lead Counsel for Plaintiffs

17
18 DATED: May 26, 2010

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Angela L. Dunning

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24 Attorneys for Defendant Kudelski Interactive
25 Cayman, Ltd.

1 **Filer's Attestation:** Pursuant to General Order No. 45, Section X(B) regarding
2 signatures, Angela L. Dunning hereby attests that concurrence in the filing of this document has
3 been obtained.

4
5 By: /s/
Angela L. Dunning

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7 IT IS SO ORDERED.

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9 Dated: 5/27/2010

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